

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

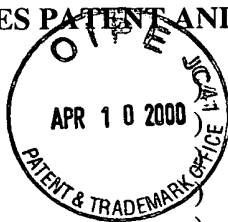
In re the Application of

David Charles BAULCOMBE et al.

U.S. Application No.: 09/491,549

Filed: January 26, 2000

For: GENE SILENCING



Group Art Unit: 1643  
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**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION**

A Notice to File Missing Parts of Nonprovisional Application ("Notice") was mailed on March 3, 2000 in the above-referenced patent application. The Notice sets forth that the executed Declaration, filing fee and sequence listing is required to complete the filing of this application. Submitted herewith is the executed Declaration and the requisite filing fee of \$1,174.00.

Although the Notice indicates that this application does not satisfy the sequence listing requirements of 37 CFR §§1.821-1.825, it should be noted that this application does not contain any amino acid or nucleotide sequences. Accordingly, applicant is not submitting a sequence listing, as such a submission should not be required.

In the event that the requirement for submission of a sequence listing is maintained, it is requested that the PTO specifically identify the "nucleotide and/or amino acid sequence disclosure contained in this application" to which reference is made in the Notice.

It is respectfully requested that applicants' response to the Notice be considered complete, as all of the properly required items are submitted herewith.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation  
Attorneys for Applicant(s)

By

A handwritten signature in cursive script, reading "Patrick J. Hagan".

Patrick J. Hagan

PTO Registration No. 27,643

Telephone: (215) 563-4100

Facsimile: (215) 564-4044

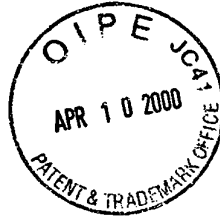
## FORMALITIES LETTER



\*OC000000004985255\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/491,549	01/26/2000	David Charles Baulcombe	-

DANN DORFMAN HERRELL & SKILLMAN  
SUITE 720  
1601 MARKET STREET  
PHILADELPHIA, PA 191032307

Date Mailed: 03/08/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$432.
  - \$198 for 11 total claims over 20.
  - \$234 for 3 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):
  - This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).

04/25/2000 JARTIS

01 FC:102

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- For Technical Assistance, call (703) 287-0200
- To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 1252.

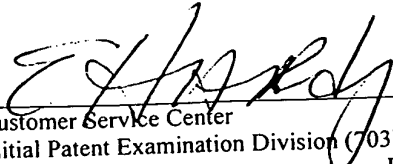
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2 FC:103  
3 FC:105  
4 FC:102

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**BEST AVAILABLE COPY**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: David C. BAULCOMBE and Andrew J. HAMILTON  
Application No. 09/491,549  
Filed: January 26, 2000  
For: GENE SILENCING

**CERTIFICATE OF MAILING UNDER 37 CFR §1.8(a)**

I hereby certify that this Correspondence is being deposited on April 4, 2000 with the United States Postal Service as first class mail in an envelope properly addressed to COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231.

April 4, 2000  
Date of Certificate

Tina M. Doyle  
Tina M. Doyle



Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

We are completing herewith the above-identified U.S. Patent Application of:

**Inventor(s):** David C BAULCOMBE and Andrew J. HAMILTON  
**For (Title):** GENE SILENCING

The complete application includes the following:

<u>29</u> Pages of Specification	Filed <u>January 26, 2000</u>
<u>31</u> Number of Claims	Filed <u>January 26, 2000</u>
<u>1</u> Page of Abstract	Filed <u>January 26, 2000</u>
<u>0</u> Sheet(s) of Drawing	Filed <u>----</u>
<u>1</u> Page(s) of Declaration and Power of Attorney	Filed <u>Herewith</u>
<u>0</u> Number of Verified Statement(s) under 37 CFR §§1.9 and 1.27 to establish Small Entity Status	Filed <u>----</u>

[ X ] A check in the amount of \$ 1,174.00 is enclosed. In the event the check is improper, or the fee calculation is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to the account of the undersigned attorneys, Account No. 04-1406.

[ X ] A duplicate copy of this sheet is enclosed.

[ X ] Please address all communications to the following Correspondence Address:

**CUSTOMER NUMBER 000110**

ATTENTION: Patrick J. Hagan, Esq.

Telephone: (215) 563-4100

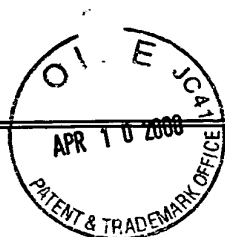
Facsimile: (215) 563-4044

Direct all inquiries to the undersigned attorney.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation

By Patrick J. Hagan  
Patrick J. Hagan, Reg. No. 27,643



## FEE TRANSMITTAL

Complete if known

Application Number 09/491,549

Filing Date: January 26, 2000

First Named Inventor: David C. BAULCOMBE

Group Art Unit: 1643

Examiner Name: Not Yet Assigned

TOT. AMT. OF PAYMENT: (1)+(2)+(3) = \$ 1,174.00

Attorney Docket Number

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																						
<p>1. The Commissioner is hereby authorized to:</p> <p><input type="checkbox"/> Charge indicated fees</p> <p><input checked="" type="checkbox"/> Charge additional fees</p> <p><input checked="" type="checkbox"/> Credit overpayments</p> <p>to the account of DANN, DORFMAN, HERRELL AND SKILLMAN</p> <p>Deposit Account Number <u>04-1406</u></p> <p>2. Payment enclosed:</p> <p>Check in the amount of \$ <u>1,174.00</u></p>	<p><b>ADDITIONAL FEES</b></p> <table style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>Surcharge-late filing fee or oath</td><td style="text-align: right;">130</td></tr> <tr><td>Surcharge - late provisional filing fee or cover sheet</td><td style="text-align: right;">_____</td></tr> <tr><td>Non-English specification</td><td style="text-align: right;">_____</td></tr> <tr><td>For filing a request for reexamination</td><td style="text-align: right;">_____</td></tr> <tr><td>Requesting publication of SIR prior to Examiner action</td><td style="text-align: right;">_____</td></tr> <tr><td>Requesting publication of SIR after Examiner action</td><td style="text-align: right;">_____</td></tr> <tr><td>Extension for response within first month</td><td style="text-align: right;">_____</td></tr> <tr><td>Extension for response within second month</td><td style="text-align: right;">_____</td></tr> <tr><td>Extension for response within third month</td><td style="text-align: right;">_____</td></tr> <tr><td>Extension for response within fourth month</td><td style="text-align: right;">_____</td></tr> <tr><td>Notice of Appeal</td><td style="text-align: right;">_____</td></tr> <tr><td>Filing a brief in support of an appeal</td><td style="text-align: right;">_____</td></tr> <tr><td>Request for oral hearing</td><td style="text-align: right;">_____</td></tr> <tr><td>Petition to institute a public use proceeding</td><td style="text-align: right;">_____</td></tr> <tr><td>Petition to revive unavoidably abandoned application</td><td style="text-align: right;">_____</td></tr> <tr><td>Petition to revive unintentionally abandoned application</td><td style="text-align: right;">_____</td></tr> <tr><td>Issue fee</td><td style="text-align: right;">_____</td></tr> <tr><td>Petitions to the Commissioner</td><td style="text-align: right;">_____</td></tr> <tr><td>Petitions related to provisional applications</td><td style="text-align: right;">_____</td></tr> <tr><td>Submission of Information Disclosure Stmt.</td><td style="text-align: right;">_____</td></tr> <tr><td>Recording each patent assignment per property (times number of properties)</td><td style="text-align: right;">_____</td></tr> <tr><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td style="text-align: right;">_____</td></tr> <tr><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td style="text-align: right;">_____</td></tr> <tr><td>Other fee (specify) _____</td><td style="text-align: right;">_____</td></tr> <tr><td>Other fee (specify) _____</td><td style="text-align: right;">_____</td></tr> <tr> <td style="text-align: right;"><b>SUBTOTAL (3)</b></td> <td style="text-align: right;"><b>\$ 130</b></td> </tr> </tbody> </table>	Fee Description	Fee Paid	Surcharge-late filing fee or oath	130	Surcharge - late provisional filing fee or cover sheet	_____	Non-English specification	_____	For filing a request for reexamination	_____	Requesting publication of SIR prior to Examiner action	_____	Requesting publication of SIR after Examiner action	_____	Extension for response within first month	_____	Extension for response within second month	_____	Extension for response within third month	_____	Extension for response within fourth month	_____	Notice of Appeal	_____	Filing a brief in support of an appeal	_____	Request for oral hearing	_____	Petition to institute a public use proceeding	_____	Petition to revive unavoidably abandoned application	_____	Petition to revive unintentionally abandoned application	_____	Issue fee	_____	Petitions to the Commissioner	_____	Petitions related to provisional applications	_____	Submission of Information Disclosure Stmt.	_____	Recording each patent assignment per property (times number of properties)	_____	Filing a submission after final rejection (37 CFR 1.129(a))	_____	For each additional invention to be examined (37 CFR 1.129(b))	_____	Other fee (specify) _____	_____	Other fee (specify) _____	_____	<b>SUBTOTAL (3)</b>	<b>\$ 130</b>
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## Submitted By:

Typed or

Printed Name Patrick J. Hagan

Reg. Number 27,643

Deposit Account User ID

Signature

Date April 4, 2000

04-1406